



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3009957

Applicant Name: Ivana Halvorsen,
Barghausen Consulting Engineers, Inc for
Kroger/QFC

Address of Proposal: 1802 N 45th St

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 5,300 sq. ft. addition to existing retail building (QFC store). Parking for 17 vehicles to be provided on site. Existing parking for 76 vehicles to remain at 4551 Wallingford Ave N. Existing "WALLINGFORD" sign to be relocated to the proposed addition.

The following approvals are required:

SEPA – Environmental Determination – SMC Chapter [25.05](#)

Special Sign Exception – Section [23.55.040](#) , Seattle Municipal Code.

SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading or demolition,
or involving another agency with jurisdiction

BACKGROUND DATA

Site and Vicinity

The site is the existing QFC grocery store, located at 1802 N 45th St in the Wallingford Neighborhood. The site is bounded by N 45th St on the south, N 46th St to the north, and

Wallingford Ave N on the west. The property is split-zoned: the northern half is Neighborhood Commercial 2 with a base height limit of 40' (NC2-40), and the southern half is NC2 with a pedestrian overlay and a base height limit of 65' (NC2P-65).

Directly to the east are a Bartell drugstore and a brick apartment building (Landon Arms). To the south of the existing structure is a paved surface parking lot, accessory to the grocery store. More accessory parking is located across Wallingford Ave N, at the northeast corner of Wallingford and N 46th St, accessed via a midblock crosswalk.

Development in the vicinity consists of a mixture of building types and uses, such as the Bartell drugstore (masonry, ca. 1922) and 3-story brick apartment buildings to the east (Landon arms, ca. 1928; Vera Apartments, ca. 1929), a 3-story school building to the south, converted to mixed use (Wallingford Center, ca. 1904), and an array of 1-3 story mixed use buildings to the southwest along N 45th St, reflecting the neighborhood business district's predominant pattern of small scale land tenancy and pedestrian-oriented retail. To the north across N 46th St are single family homes.

Proposal

The proposal is to build a 5,300 sq. ft. addition to the existing grocery store along the southern façade, and to reorganize the existing surface parking. The existing "WALLINGFORD" sign is to be relocated to the southern edge of the proposed addition.

Public Comment

DPD published notice of application for the retail addition on March 5, 2009. When the applicant updated plans to reflect the relocation of the WALLINGFORD sign, DPD published a revised notice of application on June 18, 2009. The public comment period ended on July 3, 2009.

DPD received two written comments from neighbors. Comments included the following:

- The project will impact pedestrian safety, midblock crossing should be relocated.
- Sidewalk should be landscaped to direct pedestrian movement.
- New right of way improvements should limit impervious surface.
- Improved landscaping in the parking area should reduce heat island effect.
- On-site pedestrian path will be filled up with merchandise. Should be enhanced with overhead weather protection.
- Shopping cart storage should be relocated.
- N 46th St lacks street trees, should have pedestrian curb bulbs.
- WALLINGFORD sign should be retained and moved to the south edge of any addition.
- The project should include measures to upgrade pedestrian safety.
- Wallingford Ave N should be further improved north of 45th St (raise street pavement to sidewalk level, bollards, green-street amenities and landscaping, seating).

- The store should open up to Wallingford Ave N with garage-style doors.
- Proposed parking is unworkable and will create traffic impacts.

SIGN SPECIAL EXCEPTION – ANALYSIS

Pursuant to SMC Chapter [23.55](#), this request for modification to sign code requirements must be evaluated against the criteria shown in italics below.

SMC [23.55.040](#) Special exception for signs in commercial and downtown zones.

The Director may authorize exceptions to the regulations for the size, number, type, height and depth of projection of on-premises signs in neighborhood commercial, commercial, downtown office core, downtown retail core, downtown mixed commercial and downtown harborfront zones as a special exception pursuant to Chapter [23.76](#), Procedures for Master Use Permit and Council Land Use Decisions, except that no special exception may be authorized for a sign using video display methods. When one (1) or more of the conditions in subsection A of this section have been met, the characteristics described in subsection B of this section shall be used to evaluate the merits of the proposal. Proposals must also meet the intent of the Sign Code as specified in Section [23.55.001](#), Intent. An exception shall not be granted for roof signs or signs prohibited in Section [23.55.003](#). In downtown zones, the Director shall consult with the Seattle Design Commission before issuance of the special exception decision.

A. *Conditions. One (1) or more of the following conditions shall be met:*

1. *The proposed sign plan shows an exceptional effort toward creating visual harmony among signs, desirable streetscape features, building facades and other architectural elements of the building structure through the use of a consistent design theme;*
2. *The proposed sign plan will preserve a desirable existing design or siting pattern for signs in an area;*
3. *The proposed sign plan will reduce views of historic landmarks designated by the Landmarks Preservation Board no more than would be permitted by a sign permitted outright without a special exception.*

According to HistoryLink.org:



Figure 1, View of the original Food Giant sign, N 45th St & Wallingford Ave N. Photo courtesy Paul Dorpat.

One test of neighborhood identity came in the late 1990s when the beloved landmark Food Giant and its big block-letter rooftop sign were converted into another QFC supermarket. A considerable number of Wallingfordians still miss the pop art of the Grandma’s Cookies sign that once reflected on Lake Union from a long factory rooftop on 34th Street. Protesting locals failed to convince the store’s new owners to keep the sign despite the change in corporate identity. QFC, however, did promise to write out “Wallingford” in place of “Food Giant” on the same supermarket roof and while doing it to recycle the “F,” “O,” “I,” “A,” and “D” of the old sign into the new one.

DPD considers the application to meet condition 2. Consistent with the original Food Giant signage, and with the more recent assemblage of letters displayed above the existing QFC, the proposed signage provides for the preservation of an existing iconic sign, which resonates with the neighborhood and its history of groceries on this site.

The project is not located in a downtown zone, and therefore no Design Commission input is required.

B. Desired Characteristics. All the following desired characteristics shall be used to evaluate applications for a special exception, and at least one (1) must be met. The proposed sign(s):

- 1. Unifies the project as a whole or contributes positively to a comprehensive building and tenant signage plan;*

The proposed signage is identical, except that it would be located 20' further south and higher than the existing signage (approximately 30' above grade). It draws appropriate attention to an important tenant, fosters a sense of neighborhood identity, and provides a clear place-making cue that fits with the site's current and historic use. As such, it contributes positively to an overall plan.

2. *Is compatible with the building facade and scale of building in terms of size, height and location;*

The original Food Giant signage was apparently intended to rival the scale of the one-story masonry structure that supported it, apparently to attract the attention of passing motorists. As the proposed southern façade is to be higher, the perceived scale of the relocated sign may be somewhat diminished in comparison. The sign will continue to occupy the full width of the façade, and will be relatively consistent with its existing proportions and its prominent existing location.

3. *Adds interest to the street level environment, while also identifying upper level businesses;*

The proposed structure is single story with a mezzanine, and does not incorporate any upper level businesses. This characteristic does not apply.

4. *Helps orient pedestrians and motorists at street-level in the vicinity of the subject building;*

At the street level, the sign serves as an iconic demarcation of this central intersection in the Wallingford neighborhood.

5. *Integrates support fixtures, conduits, wiring, switches and other mounting apparatus into the building architecture to the extent feasible.*

The proposed sign's conduit and wiring would be integrated into the support structure for the sign. Switches and other controls would be located within the building.

SMC 23.55.001 Intent.

The intent of the standards in this chapter is:

- A. *To encourage the design of signs that attract and invite rather than demand the public's attention, and to curb the proliferation of signs;*

The proposed sign is appropriate for its site and vicinity, in scale, materials, illumination, and details. It is the same as the existing sign, simply relocated to the front of the new addition. The sign should attract the eye and reward it with a sense of texture and detail.

B. To encourage the use of signs that enhances the visual environment of the city;

The sign will reflect a history of similar signs at this site for the existing and previous grocery stores.

C. To promote the enhancement of business and residential properties and neighborhoods by fostering the erection of signs complementary to the buildings and uses to which they relate and which are harmonious with their surroundings;

The proposed sign clearly adheres to this intent, enhancing the site and vicinity with an element that adds visual interest, attracts interest in the inside tenant, and fits well with the historic and neighborhood context.

D. To protect the public interest and safety;

The sign's origin relates to the public interest, in that it reflects an agreement between the store owners and neighborhood activists to build on the legacy of the original Food Giant sign. It should not affect public safety.

E. To protect the right of business to identify its premises and advertise its products through the use of signs without undue hindrance or obstruction; and

Insofar as this widely recognized, iconic neighborhood sign draws attention to the site, it meets this intent. On its face, the sign is not intended for this purpose.

F. To provide opportunities for communicating information of community interest.

The proposed sign is not intended for this purpose.

SIGN SPECIAL EXCEPTION – CONCLUSION

The relocation of the existing sign would not conform to current sign standards with regard to its size and location. However, it presents a historically appropriate opportunity to enhance the streetscape and support an iconic symbol that characterizes the neighborhood center. The visual presence of the sign would be appropriate to its place and to the engagement of pedestrians and motorists at ground level.

ANALYSIS – SEPA

The applicant provided the initial disclosure of this development's potential impacts in an environmental checklist dated February 13, 2009. DPD received two letters from the public, summarized on page 1. Comments related to environmental review (traffic, pedestrian safety, impervious surfaces) are addressed below.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction; potential soil erosion during excavation and general site work; increased runoff; tracking of mud onto adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section [25.05.794](#)). Although not significant, these impacts are adverse.

The SEPA Overview Policy (SMC [25.05.665 D](#)) states, “where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation”, subject to limitations. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code, SMC [22.800](#) (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, obstruction of the rights-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of most potential adverse impacts. Thus, mitigation pursuant to SEPA is generally not necessary for these impacts. However, more detailed discussion of some of these impacts is appropriate.

Air. Demolition of a portion of the existing structure is limited to the existing south façade. Apart from site work, no further demolition is likely to occur, and no conditioning is warranted in this regard.

Construction activities including worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Construction Parking. Offsite parking in the site’s near vicinity is constrained by on-street parking time limits. QFC controls two accessory surface parking lots – one onsite, and another located at across the street at 4551 Wallingford Ave N.

Off-site construction parking is likely to occur during excavation and construction of the store addition. This construction-related impact is likely to be relatively minor and of short duration. If construction parking is located in the existing parking lots, short term parking impacts should be effectively mitigated. DPD therefore conditions the project to require that construction parking be located in off-street (see Condition #1), and no further mitigation is warranted in this regard.

Construction Vehicles. Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. The subject site abuts N 45th St (a minor arterial), and Wallingford Ave N is a collector arterial to the south of the intersection. The project involves little to no grading, and traffic impacts resulting from construction trips will be of short duration and mitigated in part by enforcement of SMC [11.62](#). This area is subject to traffic congestion during the PM peak hours, but in the absence of any grading, construction trips are not likely to affect the flow of traffic. No additional mitigation is warranted.

Construction noise. Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential uses. Many apartments are adjacent to the site, and more residences are nearby. DPD received no public comment about noise impact concerns.

All construction activities are subject to the limitations of the Noise Ordinance, SMC [25.08](#). Construction activities (including but not limited to deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, and weather protection shall not be limited by this construction. See Conditions #2 and 3 and Table 1.

The project team has the option to submit for review and approval a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. Such a Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise.

Other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g. increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased bulk and scale on the site; increased traffic and parking demand due to the new residential and commercial space; minor increase in airborne emissions resulting from additional traffic; minor increase in ambient noise due to increased human activity; increased demand on public services and utilities; and increased energy consumption.

The likely long-term impacts are typical of this scale of commercial development, and DPD expects them to be mitigated by the City's adopted codes and/or ordinances (together with fulfillment of Seattle Department of Transportation requirements).

Specifically these are: the Land Use Code (aesthetic impacts, height, setbacks, parking) the Seattle Energy Code (long-term energy consumption), and the street use ordinance. However, more detailed discussion of some of these impacts is appropriate.

Air. Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Parking. The project will continue to provide accessory parking on the subject site, and across the street at 4551 Wallingford Ave N, in compliance with the minimum Land Use Code parking requirements. The project will eliminate five existing parking stalls. The site is centrally located in the Wallingford neighborhood, and is served by public transit. DPD received no comments about possible spillover parking impacts.

Considering the scale of the proposed addition, the availability of accessory parking, and the potential for accessing the store via alternative transportation modes, DPD considers that any additional trips generated by the addition will not result in noticeable parking impacts. No mitigation is warranted in this regard.

Traffic and pedestrian safety. In the SEPA checklist, the applicant states: *The modified parking lot has been altered for one-way traffic only with a right-in only from North 45th Street and left- or right-out to Wallingford Avenue North. This will eliminate turning movements onto North 45th Street exiting the site.*

The project reduces the available parking spaces on this lot from 22 to 17. In consultation with its senior transportation planner, DPD has considered the scope and scale of the proposed change, site conditions, and the various available turning maneuvers that result, and has determined that the project is unlikely to result in any significant impact to the flow of traffic in the vicinity. No conditioning is warranted in this regard.

Two members of the public noted that the addition is likely to affect pedestrian behavior, particularly along Wallingford Ave N. Comments suggest pedestrian amenities, such as planting strips or bollards, might direct pedestrian flow to the existing midblock crossing. DPD notes that most of the described pedestrian activity relates to the store and the accessory parking located at 4551 Wallingford Ave N. Existing striping demarcates the crossing. The principal entrance is to be located further to the south, and DPD considers it unlikely that pedestrians will opt for a longer diagonal path across the street. Compared to the path via the existing midblock crossing, a perpendicular path in line with the new entry would be the same distance and would not be a likely choice for pedestrians entering or leaving the store. DPD concludes that the project is not likely to impact pedestrian safety, and mitigation is not warranted.

Landmark review. The project is located across from Wallingford Center, a historic school building and an identified landmark. The applicant provided colored illustrations to document the proposed new façade that would face the landmark, which DPD provided to Department of Neighborhoods staff for review. DON staff responded that they required no further review. DPD finds no impacts to historic structures resulting from the proposed addition.

Water. Neighbors commented about impervious surface associated with the paved parking lot. The project results in a reduction in the site's overall impervious surface, by approximately 1%. DPD identifies no resulting impact, and no mitigation is warranted.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW [43.21C](#)), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW [43.21C.030\(2\)\(C\)](#).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW [43.21C.030\(2\)\(C\)](#).

CONDITIONS – SEPA

During Construction

The following condition to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

1. All construction-related parking shall be located off-street.
2. The applicant(s) or responsible party(ies) have the option to submit for review and approval a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. Such a Plan shall include discussion of management of construction related noise, efforts to mitigate noise

impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise.

- Unless otherwise modified in an approved Construction Impact Management Plan (see condition 2), all construction activities are subject to the limitations of the Noise Ordinance, SMC [25.08](#). Construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays¹ from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, and weather protection shall not be limited by this condition. If an approved Construction Noise Management Plan modifies this condition, the applicant(s) and/or responsible party(ies) shall make the Plan publicly available at the construction site office.

Non-holiday work hours							
	Sun	Mon	Tues	Wed	Thurs	Fri	Sat
7:00 am							
8:00							
9:00							
10:00							
11:00							
12:00 pm							
1:00							
2:00							
3:00							
4:00							
5:00							
6:00							
7:00							
8:00							

Table 1. Non-holiday work hours. Unshaded work hours shown above are permitted outright. For certain work, it is possible to request DPD approval for additional hours shaded in gray.

¹ Holidays recognized by the City of Seattle are listed on the City website, <http://www.seattle.gov/personnel/services/holidays.asp>

SIGN SPECIAL EXCEPTION – DECISION

DPD **GRANTS** the proposed special exception to allow the relocation of the sign and the nonconformity to the sign code.

SIGN SPECIAL EXCEPTION – CONDITIONS

None.

Signature: _____ (signature on file) Date: July 20, 2009
Scott Ringgold, Land Use Planner
Department of Planning and Development

SR:bg

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